

REMARKS

After entry of the above amendments, the claims pending in the subject application are 1-11 and 19-22. Reconsideration of this application based on the Amendments and Remarks presented herein is respectfully requested.

With the cancellation of claims 12-18, the addition of claims 19-22 does not exceed the total number of claims previously paid for. Therefore, no claim fee should be due. In the event that Applicants have overlooked the need for a claim fee, The Director - U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account 19-0134 any claim fees necessary for entry of this amendment.

DRAWING OBJECTIONS

In claim 6, an elastomer covering is claimed, but it is alleged that it is not shown in the drawings. Also, feature 34 is not described in the drawing. Both of these have been corrected by adding reference number 34 to page 4, line 28 of the specification. The reference number is now described in the specification, and the elastomer covering is shown in the drawings.

As for the objections to the stem in claim 15 and orthodontic in claim 16, these rejections are moot with the cancellation of claims 15-18.

35 U.S.C. §112 REJECTIONS

Claims 1 and 7 were rejected under 35 U.S.C. §112, second paragraph for reciting "said second collar". Claims 1 and 7 have been amended to state "a second collar". It is respectfully submitted that claims 1 and 7 are not indefinite.

Claims 15-18 were rejected under 35 U.S.C. §112, second paragraph. This rejection is moot with the cancellation of claims 15-18.

35 U.S.C. §102 REJECTIONS

Claims 12, [sic]12, 15, and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,532,242 to Tibbs.

This rejection is moot with the cancellation of these claims.

Claims 12, 13, 15, and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,889,064 to Kurkjian.

This rejection is moot with the cancellation of these claims.

35 U.S.C. §103 REJECTIONS

Claims 1-3 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,990,596 to Hoftman in view of U.S. Patent No. 5,692,630 to Hsu, FR2715062 to Ott, and U.S. Patent No. 4,497,417 to Tabet.

Claim 1 has been amended to include condition i), condition ii), or both conditions i) and ii). Condition i) is from previous claim 4, which was not rejected. Condition ii) is not disclosed or suggested by any of the cited references. Therefore, it is respectfully submitted that claims 1-3 and 5 are patentable over U.S. Patent No. 3,990,596 to Hoftman in view of U.S. Patent No. 5,692,630 to Hsu, FR2715062 to Ott, and U.S. Patent No. 4,497,417 to Tabet.

Claims 7-9 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,532,242 to Tibbs in view of U.S. Patent No. 5,692,630 to Hsu and U.S. Patent No. 4,497,417 to Tabet.

Claim 1 has been amended to include condition i), condition ii), or both conditions i) and ii). Condition i) is from previous claim 10, which was not rejected. Condition ii) is not disclosed or suggested by any of the cited references. Therefore, it is respectfully submitted that

claims 7-9 and 11 are patentable over U.S. Patent No. 3,532,242 to Tibbs in view of U.S. Patent No. 5,692,630 to Hsu and U.S. Patent No. 4,497,417 to Tabet.

Claims 6 and [sic]12 were rejected under 35 U.S.C. §103(a) as being unpatentable over the references applied to claims 1 and 7 above and further in view of U.S. Patent No. 6,073,788 to Stroud.

Claim 6 depends from claim 1. From above, claim 1 is patentable over the cited references. Therefore, claim 6 is also patentable over the cited references.

As for claim 12, this rejection is moot with the cancellation of claim 12.

Claims 14, 16, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,889,064 to Kurkjian.

This rejection is moot with the cancellation of these claims.

OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTIONS

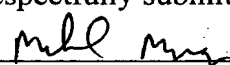
Claims 1-11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of copending parent application 10/662,679 in view of U.S. Patent No. 3,532,242 to Tibbs.

Enclosed is a Terminal Disclaimer to overcome this rejection.

In view of the amendments and remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the 35 USC §102, §103, §112, and obviousness-type double patenting rejections, and request that a Formal Notice of Allowance be issued for claims 1-11 and 19-22. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

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Respectfully submitted,



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